

Appl. No. 09/914,966
Atty. Docket No. 7456R
Amendment Dated December 7, 2005
Reply to Office Action Dated September 16, 2005
Customer No. 27752

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REMARKS

Claims 33 and 52 have been amended by emphasizing that the fiber is a melt blown fiber. Support for the amendments is found in the Specification, especially in Example 17. It is well known in the art that melt blown fibers are fibers prepared by extruding fiber-forming material through a plurality of orifices into a high-velocity gaseous stream where the extruded material is attenuated to form a stream of fibers.

Claims 50 and 51 have been cancelled.

Claims 33-49 and 52 are pending. No additional claims fee is believed to be due.

Rejections Under §103:

Claims 33-35 and 37-52 are rejected by the Examiner under 35 U.S.C. §103 as allegedly defining obvious subject matter over U.S. Patent No. 4,243,480 to Hernandez et al. ("Hernandez"). The Examiner asserts that Hernandez teaches starch fibers having a diameter of 10-500 microns that are made via a solvent spinning process (not melt blowing and/or spunbonding). The Examiner has stated previously that method limitations (i.e., melt blown) are only given weight to the extent that said limitations produce a structurally different product. The Examiner asserts that the claimed melt blown fibers are not materially different than the solvent spun fibers (fibers spun into a coagulation bath) taught by Hernandez.

Applicants respectfully submit that the melt blown fibers as claimed in Claims 33 and 52, as amended, do in fact produce structurally different fibers than the solvent spinning process of Hernandez.

Claim 36 is rejected by the Examiner under 35 U.S.C. §103 as allegedly defining obvious subject matter over Hernandez in view of U.S. Patent No. 5,516,815 to Buehler et al. ("Buehler").

Applicants respectfully submit that Claim 36 is not rendered obvious over Hernandez in view of Buehler for the same reasons that Claim 33, as amended, is not rendered obvious over Hernandez.

Accordingly, Applicants respectfully submit that Claims 33 and 52, as amended, are not rendered obvious over Hernandez. MPEP 2143.03. Further, Applicants respectfully submit that Claims 34-49 (Claims 50 and 51 have been cancelled), which ultimately depend from Claim 33, as amended, are not rendered obvious over Hernandez, alone or in combination with Buehler. MPEP 2143.03.

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Conclusion

In light of the above amendments and remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 U.S.C. §103. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 33-49 and 52, as amended, is respectfully requested.

Respectfully submitted,

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